

REMARKS

The present Request for Continued Examination and Preliminary Response is submitted in response to the Examiner's Final Office Action mailed July 9, 2003. No amendments or cancellations have been made to the pending claims, and thus Claims 1-2, 6 and 10-46 remain pending.

Reconsideration of the application is respectfully requested in view of the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. Rejections Under 35 U.S.C. §102

A. Lumsden

The Examiner rejects claims 1-2, 6 and 10-43 under 35 U.S.C. § 102(a) as being anticipated by *Lumsden* (United States Patent No. 6,006,217). As will be shown, the methodology used by *Lumsden* is totally different from the invention that is currently claimed, and thus the reference does not anticipate any of the rejected claims under 35 U.S.C. § 102(a).

Lumsden discloses a method for searching for documents on the Internet (or other distributed network) using any "presently" available searching products, "such as Altavista, Lycos and Infoseek." *Lumsden*, col. 5, lines 55-58. This search is performed by providing search terms, or "keywords," to the search engine. In response to the search request, the search server returns to the user a "hit list" of matching documents (*i.e.*, documents that contain the specified keywords). *Lumsden*, col. 6, lines 9-10.

Lumsden is very specific as to the contents of this "hit list," and provides an example in Figure 5 of the patent, which is reproduced below for the Examiner's reference and convenience.

The hit list is denoted at item 22 in Figure 5. It contains a listing of each of the matching documents, which in the example are denoted at items 74 in Figure 5. For each matching document 74, the returned hit list includes a title of the document, which also serves as a “link” to the document (i.e., its URL location on the Internet). Also displayed is a “special link” which *Lumsden* refers to as “an enhanced document link,” which is denoted at items 76 in Figure 5 *Lumsden*, col. 6, lines 13-14.

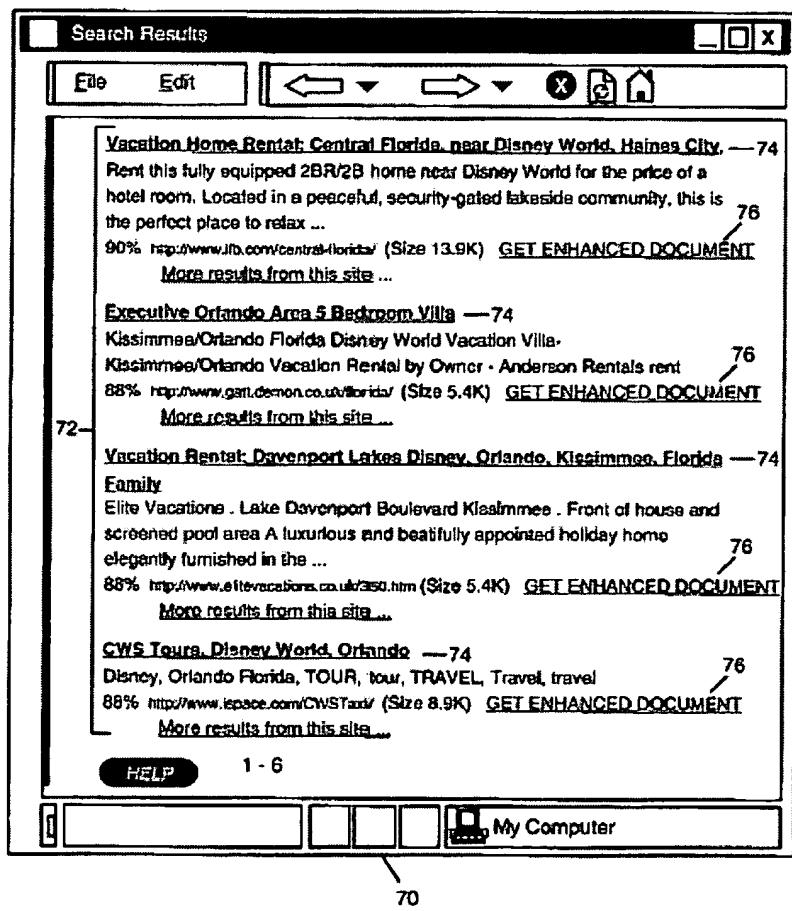


FIG.5

It is this “enhanced document link” that is the primary focus of *Lumsden*. In particular, the user can “select” the enhanced document link 76 that corresponds to a particular document.

Upon selection, a “request is sent to the appropriate server.” *Lumsden*, col. 6, lines 49-50. The server “then contacts a document server 68 on which the desired document resides via the network 64, and receives the document from the document server 68.” *Lumsden*, col. 6, lines 53-56. Thus, *Lumsden* explicitly teaches that selection of the “enhanced document link” causes the entire document to be returned to the server. The server “then prepares the document for review by the user before forwarding the document back to the client.” *Lumsden* at col. 6, lines 56-58. *Lumsden* is very clear as to the nature of this document “preparation.” First, all of the matching search terms in the document are highlighted or otherwise made “visually distinctive to the user.”

For example, if the user had used keywords “Orlando”, “vacation” and “home” in the search request form, the search server 62 would visually alter these terms in the document relative to the rest of the document so that the user would be able to easily find these words within the document.

Lumsden, col. 6, lines 62-67.

Second, *Lumsden* teaches that the document is further modified to include “code” so that if the user selects one of the matching keywords that are highlighted in the document, the document is re-displayed to the user so that the “next occurrence of a matching keyword in the document” is shown. *Lumsden*, col. 7, lines 1-5. Thus, the user can display those portions of the document that contain matching keywords, and can sequence through the display of the document by selecting the highlighted keywords. Thus, the document is “modified” so as to allow the user to navigate through the document by selecting the highlighted keywords.

Thus, *Lumsden* is directed to a methodology that is entirely different and distinct from that of the present invention. At a minimum, there is absolutely no correspondence between the currently pending claims and *Lumsden*.

For example, independent claim 1 specifically requires a number of elements that are not disclosed or otherwise suggested by *Lumsden*. For example, claim 1 specifically requires a “distilling” step:

distilling a selected one of the search results in substantially real time relative to the time of selection, wherein the distillation occurs in accordance with at least one data type criterion selected from a plurality of predefined data type criteria; and

creating a distilled version of the selected search result, wherein the distilled version contains predefined content from the selected search result in accordance with the selected data type criteria. (Claim 1 - emphasis added).

Lumsden teaches no such function. In the Office Action at paragraph 3, pages 2-3, the Examiner alleges that these elements are both disclosed in *Lumsden* at Column 6, line 48 to Col. 7 line 22. This is not the case. As was clearly set forth above, that section specifically teaches what occurs when a user selects the “enhanced document link” for a specific document in hit list: (1) all occurrences of the search terms are highlighted in the entire document; (2) the document is “modified to include code” so that selection of one of the highlighted search terms causes the next search term in the document (and the corresponding portion of the document) to be displayed to the user; and (3) the entire document is forwarded to the user to view. That is the sum and substance of the entire section cited by the Examiner. Nowhere does this section of *Lumsden* teach, disclose or even suggest that a selected search result be (1) distilled; (2) in substantially real time (3) in accordance with at least one data type criterion. Moreover, nowhere does *Lumsden* teach (either in the section cited by the Examiner or anywhere else for that matter) that a distilled version of the selected search result be created, where the distilled version contains a predefined content from the search result in accordance with the selected data type criteria.

In direct contrast to what is required by the claim, *Lumsden* teaches that the entire document be returned to the user, and in a manner that allows the user to navigate through this entire document to the next sequential keyword by selecting the highlighted keywords.

This enhanced document is then forwarded by the search server 62 to the client 60. Preferably, the modified document is displayed to the user by the client 60 so that a portion of the document containing the first occurrence of a matching keyword is initially displayed to the user. The user may then navigate within the document to the next sequential keyword occurrence by selecting the displayed keyword within the document. In this way, the user can quickly determine whether or not the document contains information which the user is seeking.

Lumsden column 7, lines 13-22 (emphasis added).

The document of *Lumsden* is not “distilled” in any way, nor is it “distilled” in accordance with a “data type criterion” – both of which is required by the pending claim 1. In that respect, it is noted that the term “distilled” is clearly defined in the pending application: “distilled format is a reduced content version of a source document.” Application, page 10, lines 7-9 (emphasis added). Nowhere does *Lumsden* teach a means by which a document is “distilled,” i.e., provided in a “reduced content” form. Indeed, *Lumsden* only deals with a full content version of a document.

In sum, for at least the reasons outlined above, *Lumsden* fails to teach each and every element of pending claim 1 and thus fails to anticipate that claim under 35 U.S.C. § 102(a). As such, Applicants respectfully request withdrawal of this rejection. Moreover, for at least the reasons outlined above, claim 2, which depends from claim 1, is also in a condition for allowance.

Moreover, the above distinguishing factors also apply to the remaining pending claims rejected in view of *Lumsden*, claims 6 and 10-43. Each of those claims include limitations not found in *Lumsden*.

For example, claim 6 specifically requires the step of “selecting” one of the returned search results, and then, “at substantially the time of selection, distilling the selected” search result into a “result object” wherein the result object “includes a second content that is derived from the” source document in “accordance with at least one predefined distillation criterion.” Again, *Lumsden* does not provide any sort of new “content” (distilled or otherwise) upon selection of the “enhanced document link.” It provides an “enhanced document” that is comprised of the very same content of the original document – the enhanced document merely includes “highlighted” search terms, and embedded code for navigating through the document. No aspect of the document is “distilled” to create a “second” content in accordance with a distillation criterion, as is required by claim 6. Thus, claim 6 is patentably distinct from the teachings of *Lumsden*, and it is respectfully requested that the rejection of that claim be withdrawn.

Similarly, independent claim 10 (as well as claims 11-18 depending therefrom) requires elements that are not taught by *Lumsden*. For example, claim 10 requires the step of “distilling a selected one of the search results into a result object.” Again, nowhere does *Lumsden* create a “reduced content” document. Consequently, claims 10-18 are patentably distinct from the teachings of *Lumsden*, and it is respectfully requested that the rejection of those claims be withdrawn.

Independent claim 19 (as well as claims 20-21) specifically requires, *inter alia*, the step of “distilling” a search result. Independent claim 22 (as well as claims 23-33 depending therefrom) specifically requires that a “distilled version” of a search result be created. Independent claim 34 (as well as claims 35-43) requires the step of “distilling a selected one of the search results into a result object.” Again, this notion of distillation, or creating a reduced

content form of the search result – required by each of these claims – is not taught or suggested by *Lumsden*. As such, each of the claims 19-43 inclusive are also patentably distinct from the teachings of *Lumsden*, and it is respectfully requested that the rejection of those claims be withdrawn and the claims allowed.

B. *Rubinstein et al.*

The Examiner rejects claims 44-46 under 35 U.S.C. § 102(b) as being anticipated by *Rubinstein et al.* (United States Patent No. 5,913,215). Again, as with *Lumsden* above, the methodology taught by *Rubinstein* is entirely different from the invention that is currently claimed in rejected claims 44-46, and thus the reference does not anticipate any of those claims under 35 U.S.C. § 102(b).

Rubinstein pertains to a methodology for assisting a user in locating and identifying a single document (or web page) from a plurality of documents (or web pages). The location of a document from a database of documents is facilitated by “prompting a computer user to construct a query expression from an automatically generated list of keyword phrases.” *Rubinstein* at col. 4, lines 19-23. Thus, the *Rubinstein* methodology is based upon an important assumption: each of the documents in the database being searched (whether locally resident files or pages on the World Wide Web) has been previously “linguistically analyzed” to identify the keyword phrases contained within each document, and to create an “abstract” of each document in the database:

[E]ach of the plurality of documents is linguistically analyzed to identify keyword phrases therein. . . . (column 4, lines 32-33, emphasis added).

[E]ach of the web pages in the initial set of web pages is linguistically analyzed to identify keyword phrases therein. . . . (column 16, lines 7-9 emphasis added).

[A]n abstract is generated **for each** web page of the initial set of web pages and then the web page discarded. . . . (column 17, lines 29-32, emphasis added).

Thus, a key premise of *Rubinstein* is that, for a given database of documents or webpages, each of the documents (web pages) are “linguistically analyzed” so as to compile a list of keyword phrases and an abstract for each individual document (web page) is created before the database is ever searched by a user to locate a single relevant document. This notion is best understood and described by making reference to figure 2, a copy of which is reproduced below for the Examiner’s reference in convenience:

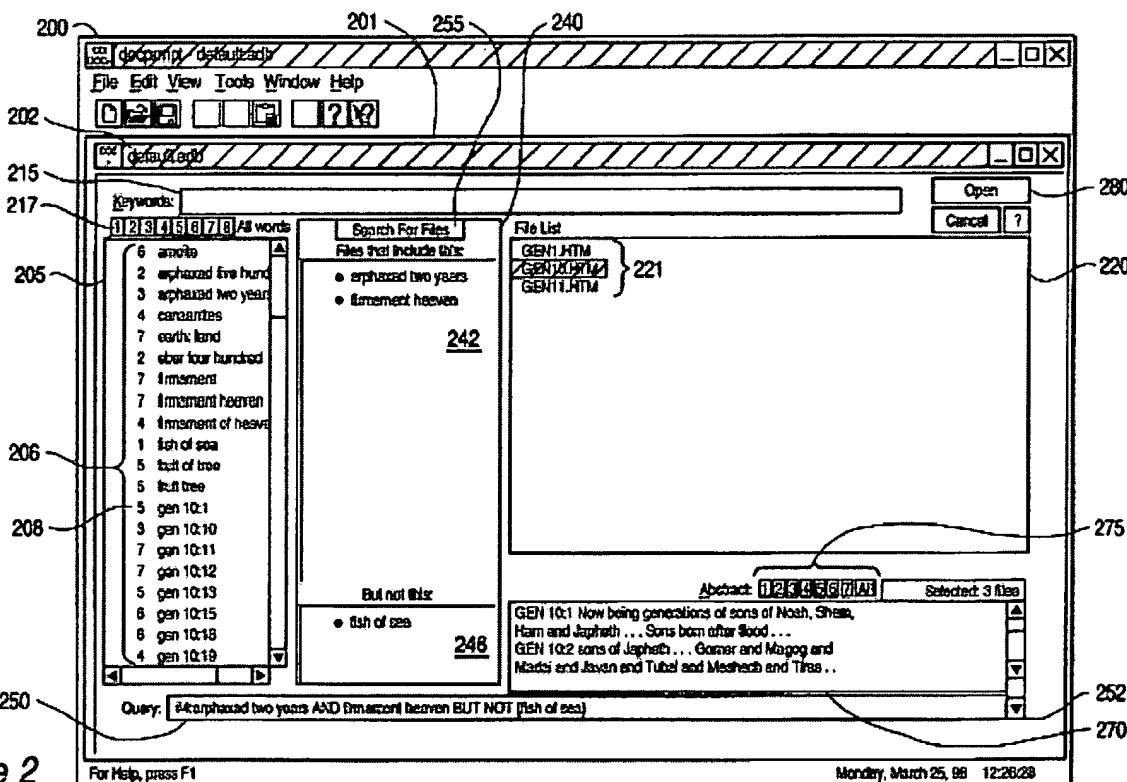


Figure 2

In Figure 2, that portion of the interface referenced at item 220 is the “database” of documents 221 that a user wishes to search (see, col. 5, lines 31-32). Previously, a “linguistic analysis” has been performed on each of the documents 221 so as to generate a list of “keyword phrases.” These keyword phrases are shown in interface box 205 and referenced at item 206. The user can then select these keyword phrases and assemble them in appropriate logic panes

(referenced at 242 and 246) so as to construct an appropriate Boolean search term, which is displayed in query pane 250 as a query expression. Document(s) that satisfy the query expression are then appropriately highlighted in the file list pane 220 (see, col. 7, lines 45-50). Also, a previously constructed abstract for any of the documents in the file list pane 220 can be displayed in the abstract pane 270.

To summarize, *Rubinstein* allows a user to construct search phrases from a list of keywords/phrases that have been previously derived from a database of documents (or web pages). Also, each document has had an abstract constructed. The user can then use these key phrases to build a search expression, and then locate a desired document from the database of documents.

This approach is entirely different from what is being claimed in rejected claims 44-46, and thus does not disclose a number of elements required in those claims. For example, independent claim 44 specifically requires that a “plurality of search results” be provided, and that “at substantially the time of selection” of one of the search results, the selected document be distilled. This is clearly not the case with *Rubenstein*, which provides no such “distillation” function upon selection of a search result. Indeed, this is totally contrary to the operation of *Rubinstein*, which requires that any “linguistic analysis” of the database of documents already have been performed prior to any search being conducted; said differently, no type of distillation process occurs “at substantially the time of selection” as is required by the claim.

Claim 44 differs in other respects as well. For example, the claim specifically requires that this distillation (which again, occurs at the time of selection of the document) include the step of “extracting content from the selected document in accordance with a plurality of data type rules.” Again, not only does *Rubinstein* not do anything at the time of selection of a

document, nowhere does it teach or suggest that content be extracted in accordance with a plurality of data type rules. Also, claim 44 requires that the distillation step include the step of “deriving a plurality of key points from the text content.” Again, by the language of the claim, this occurs at the time the document is selected. In direct contrast, *Rubinstein* teaches that key phrases must have been compiled for all documents in a database – not at the time of selection of a document – so that a search phrase can be constructed. Again, the methodology of *Rubinstein* is completely different from that of the claimed invention.

Since *Rubinstein* fails to teach or suggest a number of elements as arranged in pending claim 44, it is respectfully submitted that claim 44 is not anticipated by the *Rubinstein* reference. As such, withdrawal of the rejection of that claim is respectfully requested. Moreover, for at least the same reasons, each of the claims depending from claim 44 (claims 45-46) are also patentably distinct, and withdrawal of the rejection of those claims is also respectfully requested.

CONCLUSION

In light of the arguments set forth above, Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

Date: January 9, 2004

By: 

ERIC L. MASCHOFF
Registration No. 36,596
Customer No. 022913

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